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Gaylene Fukagawa, John Keast,
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Danielle Richard and Megan Sullivan*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MICHAEL D. RICE,

Plaintiff,

vs.

HAROLD WICKHAM, et al.

Defendants.

Case No. 3:19-cv-00581-MMD-CLB

**MOTION FOR EXTENSION OF TIME TO
FILE DISPOSITIVE MOTIONS
(FIRST REQUEST)**

Defendants Gaylene Fukagawa, John Keast, Michael Minev, Martin Naughton, Danielle Richard and Megan Sullivan by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Douglas R. Rands, Senior Deputy Attorney General, hereby move this Court for an order extending the deadline for filing dispositive motions. This is the first request the Defendants have made. This Motion is made and based upon the attached Points and Authorities, the papers and pleadings on file, herein, and such other and further information as this Court may deem appropriate.

MEMORANDUM OF POINTS AND AUTHORITIES

I. RELEVANT FACTS AND PROCEDURAL HISTORY AND ARGUMENT

In his Complaint, Plaintiff sues multiple defendants for events that took place while Plaintiff was incarcerated at Northern Nevada Correctional Center ("NNCC"). (ECF No. 3-1 at 1.) Plaintiff sues Defendants Dr. Naughton, D. Richard, John Keast, M. Minev, and Gaylene Fukagawa. (Id. at 1-

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3.) Plaintiff alleges two counts and seeks monetary and injunctive relief. (Id. at 4-9.) Plaintiff alleges he was not adequately treated for Hepatitis C.

This Court issued a scheduling order, (ECF No. 16) which set a dispositive motion deadline of January 27, 2022. Counsel for the Defendant is scheduled for a jury trial in front of District Judge Jones to begin Monday, January 31, 2022. *Mason v Woods* 3:18-cv-00151-RCJ-WGC. Additionally, Counsel has a meet and confer with Plaintiff scheduled that may affect the dispositive motion. Therefore, the Defendants request an additional 30 days to file their dispositive motion.

Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as follows:

When an act may or must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires; or (B) on motion made after the time has expired if the party failed to act because of excusable neglect.

Defendants' request is timely and will not hinder or prejudice Plaintiff's case, but will allow for a thorough opportunity to review the case through Summary Judgment. The requested extension of time should permit the Defendants to file a well-researched and proper Motion for Summary Judgment in this case. Counsel has been preparing for trial and will be meeting with the Plaintiff in the next several days. Therefore, the Defendants request additional time to prepare for the dispositive motion.

II. CONCLUSION

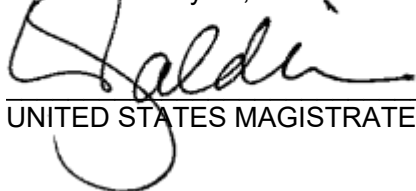
Defendants assert that the requisite good cause and extenuating circumstance is present to warrant the requested extension of time. Therefore, the Defendants requests an extension, until **February 28, 2022**, to file their Motion for Summary Judgment.

DATED this 25th of January 2022.

AARON D. FORD
Attorney General

IT IS SO ORDERED.

Dated: January 25, 2022.



UNITED STATES MAGISTRATE JUDGE

By: /s/ Douglas R. Rands
DOUGLAS R. RANDS, Bar No. 3572
Senior Deputy Attorney General

Attorneys for Defendants

CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General, State of Nevada and that on this 25th day of January, 2022, I caused a copy of the foregoing, **MOTION FOR EXTENSION OF TIME TO FILE DISPOSITIVE MOTIONS (FIRST REQUEST)**, to be served, by U.S. District Court CM/ECF Electronic Filing on the following:

Michael D. Rice, #77912
Care of NNCC Law Librarian
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/s/ Roberta W. Bibee
An employee of the
Office of the Attorney General